



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 41853 of 2025

and WMP No.46891 of 2025

Raja
S/o.Amavasai No.159, Radio Room Street,
Singarajapuram Colony, Alumelumangapuram
Village, Tiruttani Taluk, Thiruvallur District.

..Petitioner(s)

Vs

1. The Collector
Thiruvallur District , Thiruvallur.
2. The Block Development Officer (rural)
Tiruttani Union Office, Arakkonam Road,
Tiruttani, Thiruvallur District.
3. The Head Surveyor
Tiruttani Taluk Office, Tiruttani, Thiruvallur
District.
4. The Tahsildar
Tiruttani Taluk Office, Tiruttani, Thiruvallur
District.
5. Mani
S/o.Nagan, New Street, Sigarajapuram Colony,
Alv Melamangapuram Post, Tiruttani Taluk
Office, Tiruttani, Thiruvallur District.



..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus directing the respondents 1 to 4 to conduct the survey of the lands in accordance to the request made on 14.05.2025 and the letter in reference Dt.24-07- 2025 vide F.L.No.2025/ 0123/ 01/ 011074 of the 4th respondent to locate the land and boundaries of the land in S.No.117/2 in Alamelumangapuram village, Tiruttani Taluk, Thiruvallur and direct to remove the erring construction made under PMAY-G No. TN125890042 under the work order vide MGNREGS work card No.TN-02-007- 02- 002/ 83-A dated 29.11.2021 over the said land forth with to enable the petitioner to use his property.

For Petitioner(s): Ms. S.Pavithrashini

For Respondent(s): Mr.B.Pachaiyappan

Government's Counsel for R1 to R4

For R5 and R6 – Notice Served – No appearance

ORDER

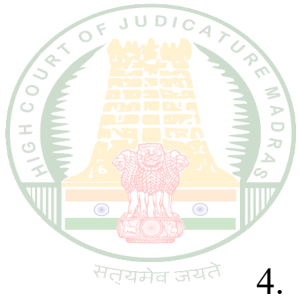
The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing respondents 1 to 4 to conduct a survey of the subject land in accordance with the petitioner's representation dated 14.05.2025 and the



communication dated 24.07.2025 vide F.L. No. 2025/0123/01/011074 issued by the 4th respondent, to locate and demarcate the boundaries of the land in S.No. 117/2 in Alamelumangapuram Village, Tiruttani Taluk, Thiruvallur District, and further direct the respondents to forthwith remove the unauthorized construction put up under PMAY-G No. TN125890042 pursuant to the work order vide MGNREGS work card No. TN-02-007-02-002/83-A dated 29.11.2021 over the said land, to enable the petitioner to enjoy his property.

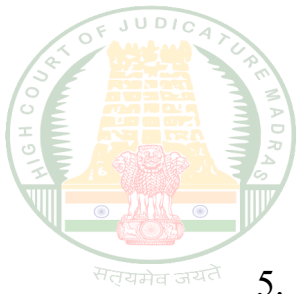
2. When the matter was taken up for hearing today, the learned Government Counsel appearing for the official respondents submitted that the request made in the petitioner's representation dated 14.05.2025 for conducting a survey would be considered by respondents 3 and 4 in accordance with law. He further submitted that regarding the removal of construction, the petitioner has to approach the competent Civil Court to work out his remedy

3. In reply, the learned counsel for the petitioner submitted that although the petitioner sought a larger relief in this Writ Petition, he is restricting his prayer solely to the extent of conducting a survey and demarcation of the subject property.



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4. Considering the facts and circumstances of the case, the submissions made on either side, and the endorsement made by the learned counsel for the petitioner restricting the prayer to the survey and demarcation of the property, this Court, without going into the merits of the case, directs respondents 3 and 4 to conduct a survey and demarcation of the subject property in S.No. 117/2 situated in Alamelumangapuram Village, Tiruttani Taluk, Thiruvallur District. and fix the boundary stones within a period of eight (8) weeks from the date of receipt of a copy of this order, after issuing prior notice to the petitioner, adjacent landowners/neighbours, the private respondents, and interested parties, if any. It is made clear that in the event that any disturbance arises, the surveying authority is empowered to seek the assistance of the jurisdictional Police, and the jurisdictional Police are mandated to provide necessary police protection. In the event that the subject land under survey is in the possession of either the petitioner or any other concerned party, the recovery of possession can only be effected through the due process of law before the competent Civil Court; under no circumstances shall the respondents engage in taking over possession after completing the survey to hand it over to any party. Such exercise shall be carried out exclusively through the competent Civil Court.



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5. Insofar as the relief sought for the removal of construction is concerned, the request of the petitioner is rejected. However, liberty is granted to the petitioner to approach the competent Civil Court to work out his remedy in the manner known to law.

6. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs.

28-07-2026

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To

1. The Collector
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2. The Block Development Officer (rural)
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4. The Tahsildar
Tiruttani Taluk Office, Tiruttani, Thiruvallur
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WP No. 41853 of 2



KRISHNAN RAMASAMY, J.

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